

**IN THE CLAIMS:**

Please cancel without prejudice or disclaimer claim 2 as originally filed, and amend claim 1 as follows.

1. (Currently amended) A method for fabricating a semiconductor device, comprising the steps of:

sequentially forming a gate insulating film and a conductive layer for gate electrode on a semiconductor substrate;

forming a multi-layered hard mask layer on the conductive layer, wherein ~~each layer of the multi-layered hard mask layer is formed of materials different from one another~~ includes a stacked structure of nitride film/oxide film/nitride film;

etching the hard mask layer, the conductive layer and the gate insulating film using a gate electrode mask to form a stacked structure of a gate insulating film pattern, a gate electrode and a hard mask layer pattern;

forming an insulating film spacer on a sidewall of the stacked structure;

forming an interlayer insulating film on the entire surface;

etching the interlayer insulating film using a landing plug contact etching mask to form a landing plug contact hole exposing the semiconductor substrate;

forming a conductive layer for landing plug on the entire surface to fill the landing plug contact hole; and

planarizing the conductive layer for a landing plug to form a landing plug.

Claim 2. (Cancelled).